

**MINUTES
COLUMBUS PLAN COMMISSION MEETING
JANUARY 4TH 2006 AT 4:00 P.M.
CITY COUNCIL CHAMBERS, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Dave Fisher (President), Jack Heaton, Pat Zeigler, Tom King, Steve Ruble, Joan Tupin-Crites, Rob Kittle and Tom Finke (County Plan Commission liaison).

Members Absent: Dave Bonnell, Mark Gerstle, John Hatter and Brian Russell.

Staff Present: Jeff Bergman, Sondra Bohn, Laura Thayer, Thom Weintraut, Heather Pope, Marcus Hurley and Alan Whitted (Deputy City Attorney).

CONSENT AGENDA

Minutes of the December 7th, 2005 meeting.

Motion: Ms. Zeigler made a motion to approve the December 7, 2005 minutes. Ms. Tupin-Crites seconded the motion and it carried unanimously by voice vote.

OLD BUSINESS REQUIRING COMMISSION ACTION

RZ-05-10: CURT AND MICHELLE ATON – is a request by Curt and Michelle Aton to rezone two lots from R-4 (Single Family Residential) to B-1 (Neighborhood Business). The property is located at 1207 and 1225 Central Avenue (east side of Central Avenue between 12th and 13th Streets) in the City of Columbus.

Ms. Thayer presented the staff report on this request.

Mr. Jeff Washburn, Attorney and Curt Aton represented the petitioners.

Mr. Washburn stated that Ms. Thayer had raised three primary issues in her staff report, the appropriateness of the use at this location, safe access and sidewalks. Mr. Washburn stated that this location and proposal would be the best example of how a neighborhood business could fit in. He stated that the location is on the edge of a residential neighborhood and fronts on Central Avenue. He stated that this site would not be appropriate for four new residential homes. Mr. Washburn stated that this was the entrance to the neighborhood and a neighborhood business is intended to serve people that walk, ride bikes, or stop on the way home and use the services easily. He stated that the Comprehensive Plan encourages larger parcels for rezoning and this site did include four lots that would be combined. Mr. Washburn stated the site was suitable; it is off to the side of the neighborhood and represents responsible growth. He stated the property would be restricted to certain uses. Mr. Washburn stated that possible tenants could be a laundry mat, banking service, food service, etc. He stated they were in agreement with the restrictions that would be placed on the rezoning if approved.

Mr. Washburn stated that safety was a concern. He stated with the four residential lots that exist, four new homes could be built with four new driveways off Central Avenue. He stated there

would

be people parking on Central when they visited their friends and that would pose more of a traffic hazard. He stated that with the new business center there would be access from 12th and 13th Street, more than 100 feet from the intersection. He stated all the access would be coming by foot, bicycle or car off 12th & 13th Street. He stated he did not think that this would increase traffic in the neighborhood and people living there would use the services provided by the business center.

Mr. Washburn stated they were in favor of sidewalks. He stated they wanted the area to be pedestrian friendly and this would provide safer access. He said it was important for people to be able to walk to the different businesses.

Mr. Fisher opened the meeting to the public.

Mr. Shane Cowan expressed concern about the increase in traffic in the neighborhood.

Mr. Bob Brown stated that there would be an increase in traffic and more lighting and that property values would go down. He stated he wanted the area to stay residential.

Mr. Buddy Littlejohn stated the streets are already crowded and the traffic is congested.

Mr. Fred Fields expressed concern about the traffic on Central Avenue.

Mr. Roger Gemberling stated that many children play in the area and the increased traffic would pose a problem when they were outside.

Ms. Heather Cowan stated that if a restaurant were located at this site there would be more debris and trash in the neighborhood. She also expressed concern about the increase in traffic and the safety of children.

Mr. Daniel Green stated that many of the people living there now took alternate traffic routes to avoid the traffic on Central Avenue.

Ms. Jean Owens stated that many cars now use the alley located near her home at 1319 Central Avenue. She stated that with an increase in traffic at this site more cars would be using this alley.

Mr. Kittle asked what times during the day they heavy traffic was present on Central Avenue. Mr. Fields stated that the street was busy all the time. He stated there had been an increase in traffic since the opening of the offices behind the old Arvin building.

Ms. Tupin-Crites asked if a stop light would help with the traffic problem. Mr. Brown stated that a light on Central Avenue would be difficult to install because that the roads were off set and did not match.

Mr. Aton asked what the traffic count was on this part of Central Avenue. Mr. Ruble stated that it was approximately 10,000 to 12,000 cars per day. He stated that it is functioning at a high level.

Mr. Aton stated it was his opinion that the number of cars entering and exiting the streets in this area was very low.

Mr. Fisher closed the hearing to the public.

Ms. Zeigler stated that her observation was this was still a major residential area and a multi-family housing addition would be more appropriate use at this site.

Mr. Washburn stated that a neighborhood business would better serve this area and the neighborhood.

Ms. Tupin-Crites asked where the access would be located if this was developed as residential. Mr. Ruble stated it would be off the alley in the back.

Mr. Heaton asked where the commercial part of Central was located. Mr. Bergman stated that the Comprehensive Plan states that Central Avenue should not become a commercial corridor from one end to the other. He stated that it was appropriate to have development adjacent to existing commercial centers such as the 10th, 17th and 25th Street developments. He stated if there is going to be development it needs to be gradually expanded from the current commercial sites and not the land between.

Mr. Fisher stated he would be voting against this request because the Comprehensive Plan states that this should remain a residential area. He stated that the Commission should look at the larger picture and not the specific things that have happened along Central Avenue.

Mr. Bergman stated that this vote is only a recommendation to the City Council and the neighbors are invited to attend the meeting on January 17, 2006. He stated that this area does not have infrastructure that is appropriate for commercial traffic or deliveries. He stated that it would be difficult to install sidewalks, curbs and gutters at this site. He stated that the increase in traffic, possibilities for noise, headlights, and refuse from the commercial operation would have a negative impact on the neighborhood. Mr. Bergman stated that development at this location would have a negative affect on other commercial properties throughout the City because they have the proper infrastructure and have the investment necessary to have this in place, as this request does not. Mr. Bergman stated that none of the decision criteria has been met and he would recommend an unfavorable recommendation be sent to the City Council.

Motion: Mr. Heaton made a motion to send an unfavorable recommendation to the City Council. Mr. Kittle seconded the motion and it carried with a vote of 6-1 with Ms. Tupin-Crites being the nay vote.

PUD-05-11: WAL-MART (CREEKVIEW) MAJOR MODIFICATION – is a request by Wal-Mart for a major modification to a PUD (Planned Unit Development) to allow expansion of the outdoor display area. The property is located at 735 Whitfield Drive in the City of Columbus.

Ms. Thayer presented the staff information on this request.

Mr. Terry Boyd with Carlson Consulting Engineering represented the petitioner.

Mr. Boyd stated he agreed with Ms. Thayer's staff report and recommendations.

Ms. Zeigler asked if the expansion would be at the end of the building and would the area have an improved look for outdoor seasonal sales. She asked if they would be eliminating the sales in the parking lot. Mr. Boyd stated they were reducing the area designated for outdoor seasonal sales. This will provide more parking in the event that Wal-Mart does decide to put some seasonal items in this area.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Kittle asked the petitioner if they were in agreement with the four recommendations that staff has proposed. Mr. Boyd stated yes.

Mr. Bergman stated it was a positive move that there would be a reduction in the sales area in the parking lot and the expansion of something more attractive. Staff would recommend approval subject to the following conditions: (1) Eliminate the smaller parking lot sales area. (2) Replace landscaping originally approved for the site that is missing or in poor condition. (3) Revise PUD boundary on the site plan to conform to rezoning ordinance.

Motion: Mr. Kittle made a motion to approve this request subject to the following conditions: (1) Eliminate the smaller parking lot sales area. (2) Replace landscaping originally approved for the site that is missing or in poor condition. (3) Revise PUD boundary on site plan to conform to rezoning ordinance. Mr. Heaton seconded the motion and it carried with a vote of 7-0.

SU-05-22: MESSIAH BAPTIST CHURCH— is a request by Messiah Baptist Church to rezone a property of 2.36 acres from AG (Agriculture) to SU-1 (Special Use-Churches). The property is located on the east side of County Road 300 East 200 feet north of U.S. 31.

Mr. Fisher read a letter from Perry D. Cloyd requesting a continuance to give the applicant time to explore the possibilities of connecting to city sewer.

Motion: Ms. Zeigler made a motion to approve the continuance to the February 2006 meeting. Ms. Tupin-Crites seconded the motion and it carried with a vote of 7-0.

NEW BUSINESS REQUIRING COMMISSION ACTION

RZ-05-12: THE COMMONS MALL, LLC is a request by the Commons Mall, LLC to rezone a property of 6.1 acres from B-4 (Highway Business) to B-3 (Central Business). Fifth, Brown, Third, and Lindsey Streets in the City of Columbus bound the property.

Mr. Hurley presented the staff report on this request.

Ms. Crites asked how many street frontages existed on this site. Mr. Hurley stated it was four. He stated in the site plan review process, depending on where the property is developed it should be known that this part of 3rd Street is counted as street frontage for setbacks and other purposes.

Mr. Fisher asked for the definition of the 0 (zero) feet from the edge of right-of-way of the street proposed at this site.

Mr. Bergman stated the Downtown Plan, which was recently adopted as part of the Comprehensive Plan, does provide statements about how the design of this property should occur. He stated that one statement referred to parking behind the structures and another one was to establish a street wall. Mr. Bergman stated that when you walk down Washington Street there are businesses on either side and that provides an urban space, which is what the Downtown Plan specifically calls for. He stated that the B-3 zoning allows someone to build at the right-of-way line and what the new commitment says is you must build to the right-of-way line.

Mr. King asked if the current Sears Automotive Center fits in a B-3 zoning. Mr. Bergman stated no. Mr. Bergman stated it would be grandfathered at this location and could remain there.

Mr. Orwic Johnson with Columbus Surveying & Engineering and Bill Chambers, attorney with Irwin-Management Company, represented The Commons Mall, LLC.

Mr. Chambers stated they agreed with the staff report and a B-3 zoning would enhance development opportunities where the parcel is located.

Mr. Ruble asked if any of the four conditions would negatively affect the business plan for this parcel. Mr. Chambers stated not at this point.

Mr. Fisher opened the meeting to the public.

There was no one to speak for or against this request.

Mr. Fisher closed the meeting to the public.

Mr. Bergman stated that staff would recommend that a favorable recommendation be sent to the City Council on this request. He stated that rezoning this parcel to B-3 furthers the goals of the downtown plan. Mr. Bergman stated that there were five conditions of approval that the Plan Commission and the City Council should consider. (1) The first floor of any new construction shall maintain a minimum of 60% transparency on the façades facing and within 20 feet of 5th Street, 3rd Street, and Brown Street. He stated that the 20 feet component would allow a building to be constructed on the north half of the lot that is 100 feet away from the Third Street frontage that does not have a relationship to that street. (2) Signs shall be limited to those permitted for the "City Center" as specified by the zoning ordinance. He stated that the zoning ordinance actually calls out the boundaries of the rest of the downtown as having specific signs requirements and would like those to be extended to this property. (3) Any primary structure shall be built to 0 feet from the edge of right-of-way of at least one of the street frontages on 5th Street, 3rd Street, or Brown Street. (4) On-site parking shall be provided

for all uses, consistent with the requirements of the zoning ordinance for non-downtown locations. He stated that on-site parking for any new uses should be at this location. (5) Landscaping shall be provided for all parking lots consistent with the requirements of the zoning ordinance for lots of greater than 100 spaces in non-downtown locations. He stated that this requirement applies to all parking lots except in the downtown area and they would like this to be included.

Motion: Ms. Zeigler made a motion to send a favorable recommendation to the City Council with the following conditions: (1) the first floor of any new construction shall maintain a minimum of 60% transparency on all facades facing and within 200 feet of 5th Street, 3rd Street, and/or Brown Street. (2) Signs shall be limited to those permitted for the "City Center" as specified by the Zoning Ordinance of current adoption. (3) All primary structures shall observe a build-to line of zero feet from the edge of right-of-way of at least one of the following streets: 5th Street, 3rd Street, Brown Street. (4) On-site parking shall be provided for all uses, consistent with the requirements of the Zoning Ordinance for non-Central Business district locations. (5) Landscaping shall be provided for all parking lots consistent with the requirements of the Zoning Ordinance for lots greater than 100 parking spaces in non-Central Business district locations. Mr. King seconded the motion and it carried with a vote of 7-0.

Mr. Kittle left the meeting at this time.

DISCUSSION ITEMS

Mr. Ruble reported that the Nominating Committee recommended Dave Fisher for President, Pat Zeigler for Vice President and Steve Ruble for Secretary-Treasurer as Plan Commission Officers for 2006. Mr. Ruble made a motion to approve this slate of officers for the year 2006. Mr. Heaton seconded the motion and it passed unanimously by voice vote.

Mr. Fisher made a motion to reappoint Pat Zeigler to serve on the Landscape Review Committee. Mr. Ruble seconded the motion and it carried unanimously by voice vote.

Ms. Zeigler made a motion to appoint Mr. Jack Heaton, Jeff Bergman, Steve Ruble, Steve Rucker as alternate for Mr. Ruble, John Hatter as alternate for Mr. Heaton, and Laura Thayer as alternate for Mr. Bergman to the Plat Committee for 2006. Ms. Tupin-Crites seconded the motion and it carried unanimously by voice vote.

Mr. Fisher, President of the Plan Commission appointed Mr. Mark Grestle to the Utility Review Committee.

REPORTS & RECOMMENDATIONS

None

DIRECTOR'S REPORT

Mr. Bergman stated Brian Russell would be a new member of the Plan Commission.

LIAISON REPORTS

Written reports were received and discussed.

ADJOURNMENT: 6:00 P.M.

David L. Fisher, President

Steve T. Ruble, Secretary